



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/504,968	02/15/2000	Brant L. Candelore	80398.P253	8389

7590 06/04/2002

Jeffrey S. Smith  
Blakely, Sokoloff, Taylor & Zafman LLP  
12400 Wilshire Boulevard 7th Floor  
Los Angeles, CA 90025

EXAMINER

BACKER, FIRMIN

ART UNIT PAPER NUMBER

3621

DATE MAILED: 06/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/504,968

Applicant(s)

CANDELORE ET AL.

Examiner

Firmin Backer

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

This is in response to a letter for patent filed on February 15<sup>th</sup>, 2000 in which claims 1-38 are presented for examination. Claims 1-38 are pending in the letter.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-38 are rejected under 35 U.S.C. 102(b) as being anticipated by Traw et al (U.S. Patent No 5,949,877 (*applicant IDS*)).

3. As per claims 1, Traw et al teach a method for controlling access to copy controlled content (*method of protecting digital content from copying ...*) to a host device (*see abstract*) comprising receiving copy controlled content (*see summary of the invention, column 1 lines 42-58*); receiving a revocation list (*revocation list*) (*see fig 4, column 1 lines 42-58*), determining whether a host device associated with an access module is on the revocation list (*see fig 4, column 1 lines 42-58*); if the host device is on the revocation list, causing the associated access module to deny the copy controlled content to the host device (*see fig 4, column 1 lines 42-58*).

4. As per claims 2, 3, Traw et al teach a method wherein the revocation list is received in and out band along with the copy controlled content (*see column 8 lines 32-57*)

Art Unit: 3621

5. As per claims 4, 8, Traw et al teach a method wherein the revocation list is MPEG private syntax information data structure and contains revocation information that is content specific (*see column 2 lines 5-45*).

6. As per claims 5, 6, Traw et al teach a method further comprising receiving a plurality of revocation lists, where each list corresponds to a given range of host identifiers (*see column 2 lines 48-65*) .

7. As per claims 7, 10, 11, Traw et al teach a method further comprising allowing access to the copy controlled content if the host selected from the group including of a set top box, television, video player, video recorder, hard disk player, hard disk recorder, personal computer, memory stick recorder, minidisk player, minidisk recorder, digital video disk (DVD) player, DVD Recorder, compact disk (CD) player and CD recorder.is not on the revocation list transmitted to devices could to a home network, the home network using a communication medium from one of the group: 1394, Universal Serial Bus, Blue Tooth, and Panel Link (*see column 2 lines 48-65, 8 lines 32-57*).

8. As per claims 9, 12, 15, Traw et al teach a method wherein the copy controlled content is denied to the host device by not descrambling the copy controlled content (*see column 8 lines 32-57*).

Art Unit: 3621

9. As per claims 13, 14, Traw et al teach a method wherein the access module selected from the group consisting of an NRSS-A module, NRSS-B module, Point of Deployment (POD) module, and IS07816 smart card and performs conditional access by not descrambling the copy controlled content for the host device on the revocation list (*see column 8 lines 32-57*).

10. As per claims 16-38, they disclosed the same inventive concept as in claims 1-15. Therefore, they are rejected under the same rationale.

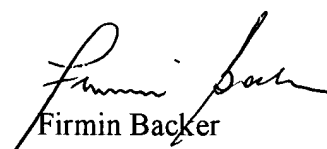
### *Conclusion*

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (*see form 892*).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is (703) 305-0624. The examiner can normally be reached on Mon-Thu 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

  
Firmin Backer  
May 28, 2002

  
JAMES P. TRAMMELL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600